

REMARKS

This paper is presented in response to the Office Action. No claims are canceled, amended or added by this paper. Claims 21-40 remain pending.

Reconsideration of this application is respectfully requested in view of the following remarks. For the convenience and reference of the Examiner, the remarks of the Applicants are presented in the order in which the corresponding issues were raised in the Office Action.

I. General Considerations

Applicant notes that the remarks, or a lack of remarks, presented herein are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

II. Claim Rejections Under 35 U.S.C. § 102(b)

Applicant respectfully notes that a claim is anticipated under 35 U.S.C. § 102(b) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Further, the identical invention must be shown in as complete detail as is contained in the claim. Finally, the elements must be arranged as required by the claim. *See Manual of Patent Examining Procedure ("M.P.E.P.") § 2131.*

The Examiner has rejected claims 21-40 as anticipated by US 5,666,271 to Kim et al. ("*Kim*"). Applicant disagrees with the contentions of the Examiner and submits that, for at least the reasons set forth herein, the rejection of those claims should be withdrawn.

a. claim 21

In rejecting claim 21, the Examiner has asserted among other things, that the "backboard 2" of *Kim* corresponds with the claimed "backplane." In an apparent inconsistency however, the Examiner has also asserted that the "backboard 2" of *Kim* corresponds with the claimed "cover." Further, the Examiner has identified yet other components of *Kim* purported by the Examiner to correspond to such "cover," namely, "side panel 3," "strip 5" and "strip detaining unit 5a." Finally, if it is the position of the Examiner that "side panel 3" of *Kim* corresponds to the claimed "cover," then it seems clear that the characterization of the Examiner as to "strip 5" and "strip detaining unit 5a" is contrary to the disclosure of *Kim*. Particularly, the Examiner appears to be asserting that "strip 5" and "strip detaining unit 5a"

constitute elements of “side panel 3,” where the “side panel 3” has been characterized by the Examiner as corresponding to the claimed “cover.” However, *Kim* states that “... rod-shaped (longitudinal) strips 5 are inserted into the strip detaining units 5a of rear panel 6.” *Col. 4, lines 12-13. Emphasis added.* Inasmuch as the Examiner has characterized “rear panel 6” as corresponding to the claimed “housing” however, it would appear that the position of the Examiner concerning “strip 5” and “strip detaining unit 5a” is inconsistent with the disclosure of *Kim*, as such disclosure has been characterized by the Examiner.

In view of the aforementioned inconsistencies in the stated rejection, it is not clear what the position of the Examiner is with respect to the disclosure of *Kim* as such disclosure is purported to relate to claim 21. For at least this reason, Applicant thus submits that the Examiner has failed to establish that *Kim* anticipates claim 21. As discussed below, the rejection stated by the Examiner with respect to claim 21 is problematic for other reasons as well.

By way of example, the Examiner has asserted that *Kim* discloses the claimed “printed circuit board assembly substantially disposed within the chassis.” In support of the rejection, the Examiner cites col. 4, lines 25-27 and 37-41, as well as Figures 2-4 of *Kim*. However, the Examiner has failed to identify, with any specificity whatsoever, which element(s) of *Kim* are purported to correspond to the claimed “printed circuit board assembly.” Instead, the Examiner has simply made a vague reference to Figures 2-4 of that reference. Moreover, the passages of *Kim* cited by the Examiner in support of the rejection fall well short of providing even colorable support for the rejection of claim 21. Particularly, those passages both consist of only a brief, non-specific reference to “PBA mounting.” While Applicant has been unable to ascertain the meaning of the “PBA” as recited in *Kim*, the Examiner is apparently of the view that “PBA” corresponds to the claimed “printed circuit board assembly.” In this regard however, Applicant notes that the passages of *Kim* cited by the Examiner completely fail to teach, or even suggest, the claim 21 limitations “a printed circuit board assembly substantially disposed within the chassis” and “each of the card guides being engaged with the printed circuit board assembly.” For example, the passages of *Kim* cited by the Examiner fail to disclose how the “PBA” is to be mounted, to which component(s), if any, the “PBA” is attached, or how the “PBA” is disposed relative to the components of the *Kim* device.

In light of the foregoing discussion, Applicant respectfully submits that the Examiner has failed to establish that *Kim* anticipates claim 21, at least because the Examiner has not established that each and every element as set forth in claim 21 is found in *Kim*, because the Examiner has not established that the identical invention is shown in *Kim* in as complete detail as is contained in claim 21, and because the Examiner has not established that *Kim* discloses the elements arranged as required by claim 21.

Applicant thus respectfully submits that the rejection of claim 21, as well as the rejection of corresponding dependent claims 22-30, should be withdrawn.

b. claim 31

In rejecting claim 31, the Examiner has asserted among other things, that "... Kim et al discloses ... a first engagement element of the plurality comprises a portion of a printed circuit board assembly (for example, see column 4, lines 25-27, and 37-41)." However, the aforementioned passages of *Kim* cited by the Examiner are so vague and lacking in detail as to fail to provide any support for the allegations advanced by the Examiner. Particularly, *Kim* states "This prevents the deviation of the side panel 3 and 4 (left and right) and the drooping of the load caused during PBA mounting." *Col. 4, lines 37-41*. Clearly, this vague passage of *Kim* makes no reference whatsoever to any feature of the "PBA," much less to a "first engagement element [that] ... comprises a portion of a printed circuit board assembly" such as is recited in claim 31. Thus, the passages of *Kim* cited by the Examiner clearly fail to provide support for the rejection of claim 31.

Further, Applicant notes that claim 31 also recites "corresponding structure configured to engage the plurality of engagement elements, the corresponding structure comprising a portion of one or more card guides." While the Examiner has characterized various elements of the *Kim* device as corresponding to the claimed "corresponding structure," the Examiner has failed to establish that *Kim* discloses, or even suggests, "corresponding structure configured to engage ... a first engagement element [that] comprises a portion of a printed circuit board assembly" as recited in claim 31. For example, the Examiner has not established that any of elements "10, 11a, and guide slots on elements 1" of *Kim* are configured to "engage ... a first engagement element [that] comprises a portion of a printed circuit board assembly" as recited in claim 31.

In light of the foregoing discussion, Applicant respectfully submits that the Examiner has failed to establish that *Kim* anticipates claim 31, at least because the Examiner has not established that each and every element as set forth in claim 31 is found in *Kim*, because the Examiner has not established that the identical invention is shown in *Kim* in as complete detail as is contained in claim 31, and because the Examiner has not established that *Kim* discloses the elements arranged as required by claim 31. Applicant thus respectfully submits that the rejection of claim 31, as well as the rejection of corresponding dependent claims 32-33, should be withdrawn.

c. claim 34

In the rejection of claim 34, the Examiner has alleged that *Kim* discloses "a plurality of self-clinching tie mounts attached to the cover (for example, see elements 7d Figs 2-4)." However, the Examiner has not established that this "element 7d" of *Kim* is a "tie-mount" of any sort, much less a "self-

clinchng” tie mount such as is recited in claim 34. Rather than providing support for the allegations made by the Examiner, *Kim* simply states that “... there is provided a cantilevered guide piece 11a for guiding into the detaining aperture 7d ...” *Col. 4, lines 32-33. Emphasis added.* Clearly, this passage of *Kim* makes no statements concerning “self-clinchng” or “tie mount.” Further, the Examiner has not identified what purported feature(s) of the “detaining aperture 7d” are alleged to correspond to the “self-clinchng” aspect of the claimed “tie mount.”

Inasmuch as the Examiner has failed to establish that *Kim* teaches or suggests the claimed “self-clinchng tie mounts,” it follows that the Examiner has also failed to establish that *Kim* teaches or suggests “... card guides engaged with a corresponding self-clinchng tie mount” as recited in claim 34.

Not only has the Examiner failed to establish that *Kim* teaches, or even suggests, the claimed “self-clinchng tie mounts,” but Applicant respectfully submits that for at least the reasons outlined in the discussion set forth at II.a. and II.b. above, the Examiner has likewise failed to establish that *Kim* discloses the claimed “printed circuit board assembly substantially disposed within the interior of the electronic equipment chassis.” Accordingly, the attention of the Examiner is respectfully directed to such discussion.

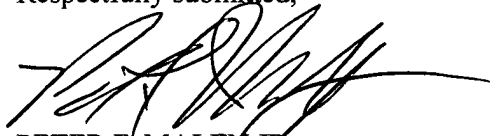
In light of the foregoing discussion, Applicant respectfully submits that the Examiner has failed to establish that *Kim* anticipates claim 34, at least because the Examiner has not established that each and every element as set forth in claim 34 is found in *Kim*, because the Examiner has not established that the identical invention is shown in *Kim* in as complete detail as is contained in claim 34, and because the Examiner has not established that *Kim* discloses the elements arranged as required by claim 34. Applicant thus respectfully submits that the rejection of claim 34, as well as the rejection of corresponding dependent claims 35-40, should be withdrawn.

CONCLUSION

In view of the remarks submitted herein, Applicant respectfully submits that each of the pending claims 21-40 is now in condition for immediate allowance. Therefore, reconsideration of the objections and rejections is requested and allowance of these claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 17th day of February, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter F. Malen Jr.', written over the typed name and contact information.

PETER F. MALEN JR.

Attorney for Applicant

Registration No. 45,576

Customer No.: 022913

Telephone No. 801-533-9800